

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40576 of 2018

Arising Out of PS.Case No. -58 Year- 2018 Thana -AIRPORT District- PATNA

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Bhola Kahar @ Mochhu, Son of Nandu Prasad, Resident of N.T.P.C.,
P.S.- Rajiv Nagar, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Singh

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

3 16-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 30(a) and 37(C) of the Bihar
Prohibition and Excise Act, 2016.

25 litres of country made liquor is said to have been
recovered from the drain located in front of the house of Most.
Mahuabag Wali which is said to have been brought there by the
petitioner and co-accused Gautam Yadav.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
either with the seized liquor or with the place of recovery or with



any trade of liquor. Place of recovery is open place. He has been falsely implicated in the case at the instance of his enemies. He was not apprehended on the spot. He has no criminal antecedent. He has been languishing in custody since 03.04.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Special Case No. 2452 of 2018 (Hawai Adda P.S. Case No. 58 of 2018).

(Prakash Chandra Jaiswal, J)

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